

**IN THE UNITED STATES DISTRICT COURT FOR  
THE SOUTHERN DISTRICT OF WEST VIRGINIA  
HUNTINGTON DIVISION**

RODNEY FREEMAN,

Vacated by Order #395  
entered 8/23/06

Movant,

v.

CIVIL ACTION NO. 3:00-1176  
CRIMINAL NO. 3:99-00015-04

UNITED STATES OF AMERICA,

Respondent.

**ORDER**

This action was referred to the Honorable Maurice G. Taylor, United States Magistrate Judge, for submission to this Court of proposed findings of fact and recommendation for disposition, pursuant to 28 U.S.C. § 636(b)(1)(B). The Magistrate Judge has submitted findings of fact and recommended that the relief sought in this § 2255 proceeding be denied. Neither party has filed objections to the Magistrate Judge's findings and recommendation.

Accordingly, the Court accepts and incorporates herein the findings and recommendation of the Magistrate Judge and **DENIES** the relief sought in this § 2255 proceeding, consistent with the findings and recommendation.

The Court **DIRECTS** the Clerk to send a certified copy of this Order to Magistrate Judge Taylor, counsel of record, and any unrepresented parties.

ENTER: August 22, 2006

  
ROBERT C. CHAMBERS  
UNITED STATES DISTRICT JUDGE